



PRESS RELEASE

Internal Revenue Service - Criminal Investigation *Chief Richard Weber*

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IRS – Criminal Investigation

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Former Tax Return Preparer Pleads Guilty to Theft Of Public Money and Aggravated Identity Theft

A former tax return preparer and resident of New Orleans, Louisiana, pleaded guilty today to one count of theft of public funds and one count of aggravated identity theft, announced Acting Assistant Attorney General Caroline D. Ciralo of the Justice Department's Tax Division and U. S. Attorney Kenneth A. Polite, Jr. for the Eastern District of Louisiana.

Donald Stewart, 59, prepared tax returns under the business names Stewart's Tax Service and Stewart LTD from approximately 2001 through 2008, before the Internal Revenue Service (IRS) suspended his Electronic Filing Information Number, according to court documents. Stewart admitted that he used the means of identification of individuals, including their names and social security numbers, without lawful authority, to electronically file false federal income tax returns with the IRS that claimed income refunds. From January 2011 through February 2012, Stewart caused approximately \$37,809 in federal and state tax refunds in the names of others to be electronically deposited into bank accounts under his control. Stewart also admitted to cashing or depositing U.S. Treasury checks totaling approximately \$539,393 and payable to other individuals at a bank in the New Orleans area.

U.S. District Judge Eldon E. Fallon set sentencing for March 17, 2006. Stewart faces a statutory maximum sentence of 10 years in prison for the theft of public money charge and a mandatory term of two years in prison for the aggravated identity theft charge, which must run consecutive to any other prison term he receives. As to each count, Stewart also faces a fine of \$250,000, or twice the gross gain or loss caused by the offense and terms of supervised release.

Acting Assistant Attorney General Ciralo and U.S. Attorney Polite thanked special agents of IRS-Criminal Investigation, who investigated the case and Assistant U.S. Attorney Hayden Brockett and Trial Attorney Lauren M. Castaldi of the Tax Division, who prosecuted the case.

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